

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS

STUDENTS FOR FAIR ADMISSIONS,
INC.,

Plaintiff,

v.

Case No. 1:20-cv-763-RP

UNIVERSITY OF TEXAS AT AUSTIN, et
al.,

Defendants.

DECLARATION OF J. MICHAEL CONNOLLY

I, J. Michael Connolly, pursuant to 28 U.S.C. §1746, declare the following:

1. I am over eighteen years of age, have personal knowledge of the facts stated herein, and if called upon to do so, could and would testify competently thereto.
2. I am an attorney at Consovoy McCarthy PLLC and represent Plaintiff Students for Fair Admissions, Inc. (“SFFA”) in the above-styled action.
3. I provide this declaration in support of SFFA’s opposition to Defendants’ Motion for Summary Judgment or Dismissal Based on Lack of Standing, Res Judicata, and Collateral Estoppel and in support of SFFA’s opposition to Defendant-Intervenors’ Motion to Dismiss for Lack of Standing.
4. Attached hereto as Exhibit A is a true and correct copy of excerpts of a May 12, 2017 deposition of Edward J. Blum taken in *SFFA v. Univ. of N.C.*, No. 14-cv-954 (M.D.N.C.).
5. Attached hereto as Exhibit B is a true and correct copy of excerpts of a January 10, 2018 deposition of Edward J. Blum taken in *SFFA v. Univ. of Tex. at Austin*, No. D-1-GN-17-2930.

6. Attached hereto as Exhibit C is a true and correct copy of excerpts of a February 26, 2021 deposition of Edward J. Blum taken in *SFFA v. Univ. of Tex. at Austin*, No. 20-cv-763 (W.D. Tex.).

7. Attached hereto as Exhibit D is a true and correct copy of excerpts of a February 1, 2021 deposition of one of SFFA's standing members (Standing Member 1) taken in *SFFA v. Univ. of Tex. at Austin*, No. 20-cv-763 (W.D. Tex.).

8. Attached hereto as Exhibit E is a true and correct copy of excerpts of a February 2, 2021 deposition of one of SFFA's standing members (Standing Member 2) taken in *SFFA v. Univ. of Tex. at Austin*, No. 20-cv-763 (W.D. Tex.).

9. Attached hereto as Exhibit F is a true and correct copy of a document bearing bates numbers SFFA-UT 000001-6 that was produced by SFFA in this litigation.

10. Attached hereto as Exhibit G is a true and correct copy of a document bearing bates numbers SFFA-UT 000010-39 that was produced by SFFA in this litigation.

11. Attached hereto as Exhibit H is a true and correct copy of a document bearing bates number SFFA-UT 000044 that was produced by SFFA in this litigation.

12. Attached hereto as Exhibit I is a true and correct copy of a document bearing bates numbers SFFA-UT 000045-60 that was produced by SFFA in this litigation.

13. Attached hereto as Exhibit J is a true and correct copy of an excerpt of a document bearing bates numbers SFFA-UT 000061-2, 000094 that was produced by SFFA in this litigation.

14. Attached hereto as Exhibit K is a true and correct copy of an excerpt of a document bearing bates numbers SFFA-UT 000248, 000256 that was produced by SFFA in this litigation.

15. Attached hereto as Exhibit L is a true and correct copy of a document bearing bates numbers SFFA-UT 000398-402 that was produced by SFFA in this litigation.

16. Attached hereto as Exhibit M is a true and correct copy of a document bearing bates numbers SFFA-UT 000403-404 that was produced by SFFA in this litigation.

17. Attached hereto as Exhibit N is a true and correct copy of a document bearing bates number SFFA-UT 000409 that was produced by SFFA in this litigation.

18. Attached hereto as Exhibit O is a true and correct copy of a 2018 IRS Form 990 filed by Project on Fair Representation Inc., which was obtained from the website https://projects.propublica.org/nonprofits/display_990/472593047/01_2020_prefixes_47-47%2F472593047_201812_990_2020011417032858.

19. Attached hereto as Exhibit P is a true and correct copy of a declaration of Edward J. Blum, which was executed on April 3, 2021.

20. Attached hereto as Exhibit Q is a true and correct copy of a declaration of one of SFFA's standing members (Standing Member 1), which was executed on March 25, 2021. SFFA has provided the unredacted version to Defendants and Defendant-Intervenors under the terms of this Court's Protective Order.

21. Attached hereto as Exhibit R is a true and correct copy of a declaration of one of SFFA's standing members (Standing Member 2), which was executed on March 22, 2020. SFFA has provided the unredacted version to Defendants and Defendant-Intervenors under the terms of this Court's Protective Order.

22. Attached hereto as Exhibit S is a true and correct copy of excerpts of SFFA's Objections and Responses to Defendants' First Set of Interrogatories.

23. Attached hereto as Exhibit T is a true and correct copy of a document bearing bates numbers SFFA-UT 000376-384 that was produced by SFFA in this litigation.

I declare under penalty of perjury, under the laws of the United States, that the foregoing is true and correct to the best of my knowledge.

Executed on this day, April 5, 2021.

/s/ J. Michael Connolly
J. Michael Connolly